State of Misconsin 2017 - 2018 LEGISLATURE

LRBa1483/2 MCP:jld

ASSEMBLY AMENDMENT 8, TO ASSEMBLY BILL 499

November 2, 2017 - Offered by Representatives Sinicki, Shankland, Anderson, Hesselbein, Kolste, Ohnstad, C. Taylor, Vruwink, Sargent, Subeck, Doyle and Hebl.

1 At the locations indicated, amend the bill as follows:

1. Page 32, line 1: after that line insert:

"Section 37am. 293.505 of the statutes is created to read:

293.505 Local liability for pollution from mining of sulfide ore bodies.

(1) In this section:

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- (a) "Pollution" means degradation that results in any violation of any environmental law as determined by an administrative proceeding, civil action, criminal action, or other legal proceeding. For the purpose of this paragraph, issuance of an order or acceptance of an agreement requiring corrective action or a stipulated fine, forfeiture, or other penalty is considered a determination of a violation, regardless of whether there is a finding or admission of liability.
- (b) "Sulfide ore body" means a mineral deposit in which nonferrous metals are mixed with sulfide minerals.

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(2) No city, village, town, or county may be held liable for any pollution within its boundaries that is caused by the exploration, bulk sampling, mining, or prospecting of a sulfide ore body, regardless of when the activity occurs or is discovered or where the activity occurs, including whether the activity occurs on property that is owned, either at the time of the activity or subsequently, by the city, village, town, or county.".

7 (END)